

# MURRAY-NOLAN BERUTTI LLC

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April 3, 2023

### Via ECF

Honorable Brian M. Cogan, U.S.D.J.  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

**Re: Shaw-Nae Dixon, et al. v. Bill DeBlasio, et al.**  
**Civil Action No. 1:21-cv-05090-BMC**  
**Our File No. 01016**

Dear Judge Cogan:

Per Your Honor's direction at the Status Conference of March 2, 2023, since there have been no decisions on outstanding motions as of today, we hereby write to propose a discovery plan. Prior to providing the discovery plan, we note that at the Status Conference, Your Honor asserted your view that my clients' position has gotten worse over time. We believe, contrarily, that my clients' positions have gotten stronger. **Thus, we respectfully renew our request for oral argument on the motions.**

Regarding discovery, we suggest the following:

- (1) Document demands to be served on or before May 8, 2023
- (2) Interrogatories, limited to 10 single part questions, to be served on or before May 8, 2023;
- (3) Responses to written discovery on or before June 12, 2023;
- (4) Depositions, limited to 10 single day depositions per side without leave of Court, to be completed by September 23, 2023;
- (5) Requests for Admissions to be served by October 6, 2023;
- (6) Request for Admissions responses to be served by October 20, 2023;
- (7) Affirmative expert reports to be served by November 3, 2023;
- (8) Responsive expert reports to be served by December 15, 2023.
- (9) Expert depositions to be completed by January 15, 2024.

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Honorable Brian M. Cogan, U.S.D.J.

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We thank Your Honor for consideration of the above.

Respectfully submitted,

**MURRAY-NOLAN BERUTTI LLC**

*Ronald A. Berutti*

By: \_\_\_\_\_  
Ronald A. Berutti

RAB:jm

cc: Kerri Devine, Esq. (via ECF)